

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JASON DANIELS,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	No. 09-1379
	:	
MICHAEL J. ASTRUE,	:	
Defendant.	:	
	:	

ORDER

AND NOW, this 14th day of December, 2009, upon consideration of Plaintiff's request for review, Defendant's response, and after careful review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice and the objections thereto, it is hereby **ORDERED** that:

1. Plaintiff's Motion for Summary Judgment (doc. no. 8), is **DENIED**;
2. The Report and Recommendation is **APPROVED** and **ADOPTED**;
3. Plaintiff's objections are **OVERRULED**; and
4. Judgment is entered in favor of Defendant. The Clerk of Court is directed to mark this case closed.

BY THE COURT:

/s/ **Mitchell S. Goldberg**

MITCHELL S. GOLDBERG, J.